

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MEMO ENDORSED

GREGORY MARONEY AND HENRY H.  
HEUMANN, individually and on behalf of all  
others similarly situated,

Plaintiffs,

v.

WOODSTREAM CORPORATION, a  
Pennsylvania corporation,

Defendant.

Civil No. 7:19-cv-08294-(KMK)(JCM)

District Judge Kenneth M. Karas  
Courtroom 521

Magistrate Judge Judith C. McCarthy  
Courtroom 521

**PLAINTIFFS' MOTION TO FILE PROVISIONALLY UNDER SEAL IN SUPPORT OF  
MOTION FOR CLASS CERTIFICATION**

Pursuant to this Court's ECF Rules & Instructions, Judge Karas' Individual Rules of Practice and the Court's Standing Order, 19-mc-00583, Plaintiffs respectfully move for an order granting leave to file certain portions of and certain exhibits to their motion for class certification (identified in the concurrently filed Declaration of Timothy G. Bloods in Support of Plaintiffs' Motion to Seal) provisionally under seal because they contain information designated by Defendant Woodstream Corporation as "CONFIDENTIAL."

The parties entered into a Protective Order on December 27, 2023 (ECF No. 75) that governs this action. Pursuant to this Protective Order, Defendant Woodstream Corporation has designated certain information as confidential such that Plaintiffs are required to submit them under seal pending a determination by the Court as to whether they are sealable.

Plaintiffs move to provisionally file under seal the following exhibits:

	<b>Exhibits to Plaintiffs' Motion for Class Certification</b>
<b>Exhibit 1</b>	Relevant portions of the Deposition of Ashley Brown taken pursuant to Federal Rules of Civil Procedure 30(b)(6), dated June 10, 2024
<b>Exhibit 2</b>	Relevant portions of the Deposition of Brent Hardy taken pursuant to Federal Rules of Civil Procedure 30(b)(6), dated June 11, 2024
<b>Exhibit 3</b>	WDSTRM-0006821
<b>Exhibit 4</b>	WDSTRM-0006842
<b>Exhibit 5</b>	WDSTRM-0016818
<b>Exhibit 6</b>	WDSTRM-0000133
<b>Exhibit 7</b>	WDSTRM-0000014
<b>Exhibit 8</b>	WDSTRM-0002492
<b>Exhibit 9</b>	WDSTRM-0000001
<b>Exhibit 10</b>	WDSTRM-0024993
<b>Exhibit 11</b>	WDSTRM-0025006
<b>Exhibit 13</b>	WDSTRM-0025047
<b>Exhibit 17</b>	WDSTRM-0019231

Plaintiffs also identify and request to file provisionally under seal the following portions of the concurrently filed Memorandum of Law:

- Portions of pages 3–9 and 15.

#### **Identification of Provisionally Sealed Documents**

The Memorandum of Law contains quotes and information from documents produced by Defendant in this litigation. Exhibits 1–11, 13, and 17 are documents produced by Defendant during discovery in this litigation.

#### **Defendant Marked the Documents and Information as Confidential**

In accordance with the Stipulated Protective & Confidentiality Order (Doc. 75), Defendant marked Exhibits 1–11, 13, and 17 and the information referenced in the Memorandum of Law as “CONFIDENTIAL.” As the party that marked the documents and information as

“CONDIENTIAL,” Defendant bears the burden of demonstrating that the documents should be sealed.

Dated: June 25, 2024

For the reasons stated in  
Defendant's Response, (*see* Dkt.  
No. 100), Plaintiff's Motion to Seal  
is granted.

SO ORDERED.

7/10/24



Respectfully submitted,

BLOOD HURST & O'REARDON, LLP

By: *s/ Timothy G. Blood*

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on June 25, 2024, a copy of the foregoing document was electronically filed with the United States District Court, Southern District of New York, via the Court's CM/ECF filing system, which will send notification of such filing to counsel of record, on June 25, 2024.

*s/ Timothy G. Blood*

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Timothy G. Blood

**UNITED STATES DISTRICT COURT  
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**DECLARATION OF TIMOTHY G. BLOOD IN SUPPORT OF PLAINTIFFS' MOTION  
TO FILE PROVISIONALLY UNDER SEAL IN SUPPORT OF  
MOTION FOR CLASS CERTIFICATION**

I, TIMOTHY G. BLOOD, declare as follows:

1. I am the managing partner at the law firm of Blood Hurst & O'Reardon, LLP, one of the counsel for Plaintiffs. I am an attorney duly licensed to practice before all of the courts of the State of California. I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

2. The parties have entered into a Stipulated Protective Order Regarding Confidentiality ("Protective Order"). Under the Protective Order, the parties and non-parties who produce documents in this litigation may designate certain documents that contain "Confidential Information" as "Confidential," thereby restricting the dissemination and disclosure of those documents.

Plaintiffs identify and request to file conditionally under seal portions of Plaintiffs' Motion for Class Certification, identified below. Exhibits offered in support of the Motion, identified below, that were designated "confidential" by Woodstream Corporation

(“Woodstream”) or cite to documents and information that were designated “confidential” by Woodstream:

	<b>Plaintiffs’ Motion for Class Certification</b>
	Portions of pages 3–9 and 15
	<b>Exhibits to Plaintiffs’ Motion for Class Certification</b>
<b>Exhibit 1</b>	Relevant portions of the Deposition of Ashley Brown taken pursuant to Federal Rules of Civil Procedure 30(b)(6), dated June 10, 2024
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<b>Exhibit 13</b>	WDSTRM-0025047
<b>Exhibit 17</b>	WDSTRM-0019231

3. Plaintiffs have redacted purportedly confidential information derived from the aforementioned exhibits from Plaintiffs’ Motion. The redactions are identified by the yellow highlights in the Chambers Copies of said documents served herewith.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on June 25, 2024, at San Diego, California.

By: s/ Timothy G. Blood  
TIMOTHY G. BLOOD

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The undersigned hereby certifies that on June 25, 2024, a copy of the foregoing document was electronically filed with the United States District Court, Southern District of New York, via the Court's CM/ECF filing system, which will send notification of such filing to counsel of record, on June 25, 2024.

*s/ Timothy G. Blood*

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Timothy G. Blood

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**[PROPOSED] ORDER RE MOTION FOR LEAVE TO FILE  
PORTIONS OF THE MEMORANDUM OF LAW AND CERTAIN EXHIBITS TO THE  
DECLARATION OF TIMOTHY G. BLOOD IN SUPPORT OF PLAINTIFFS' MOTION  
FOR CLASS CERTIFICATION UNDER SEAL**



Pending before the Court is Plaintiffs’ Motion for Leave to File Provisionally Under Seal in Support of Plaintiffs’ Motion for Class Certification (“Motion”). Defendant Woodstream Corporation, as the “Designating Party,” carries the burden to demonstrate that the designated information is sealable.

For good cause shown, the Court **DENIES** Plaintiffs’ Motion. The Court **ORDERS** that the following documents shall be unsealed and filed onto the public docket: the Memorandum of Law in Support of Plaintiffs’ Motion for Class Certification, and Exhibits 1–11, 13 and 17 to the Declaration of Timothy G. Blood.

**IT IS SO ORDERED.**

Dated:

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Hon. Kenneth M. Karas  
United States District Judge

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on June 25, 2024, a copy of the foregoing document was electronically filed with the United States District Court, Southern District of New York, via the Court's CM/ECF filing system, which will send notification of such filing to counsel of record, on June 25, 2024.

*s/ Timothy G. Blood*

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Timothy G. Blood